

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

EDWARD FINLEY,

Plaintiff(s),

v.

HOWARD SKOLNIK, et al.,

Defendant(s).

Case No. 2:10-CV-1782 JCM (VCF)

ORDER

Presently before the court is plaintiff Edward Finley's motion to set a date for trial. (ECF No. 52). No Defendant has filed a response, and the time for doing so has passed.

The court previously dismissed this matter for failure to state a claim. (ECF No. 32). Plaintiff appealed the court's decision, and the Ninth Circuit affirmed in part, reversed in part, and remanded several of plaintiff's claims to this court. (*See* ECF Nos. 49, 50). Thereafter, plaintiff filed the motion presently before the court.

Subsequently, plaintiff filed a motion for an amended scheduling order. (ECF No. 55). If the motion is granted, or granted in part, the scheduling order will set a deadline for the parties to submit a joint pretrial order, which is the appropriate vehicle for setting a trial date. Until the motion for an amended scheduling order is resolved and appropriate deadlines are set, the court cannot determine an appropriate trial date. The motion is thus denied as premature.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff Edward Finley's motion to set a date for trial (ECF No. 52) be, and the same hereby is, DENIED as premature.

DATED June 6, 2016.


UNITED STATES DISTRICT JUDGE